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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
12

13 IN RE: HIGH-TECH EMPLOYEE
14 ANTITRUST LITIGATION

Master Docket No. 11-CV-2509-LHK

15 THIS DOCUMENT RELATES TO:
16 ALL ACTIONS
17
18
19

**EXHIBIT 14 TO DECLARATION OF
LIN W. KAHN IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' SUPPLEMENTAL
MOTION FOR CLASS
CERTIFICATION**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE)
ANTITRUST LITIGATION)
) No. 11-CV-2509-LHK
THIS DOCUMENT RELATES TO:)
ALL ACTIONS.)
_____)

CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEO DEPOSITION OF BRIAN CROLL

March 22, 2013

Reported by: Jennifer L. Furia, RPR, CSR No. 8394

17:04:03 1 And cultural fit is actually probably even more
17:04:07 2 important. So if a person has a great cultural fit for
17:04:10 3 Apple, looks like they're going to fit in well and really
17:04:12 4 understand and be -- and understand the fast pace here and
17:04:14 5 be able to move and change, is flexible in their attitude,
17:04:18 6 that's going to work really well.

17:04:20 7 So those are the kinds of things that we really
17:04:22 8 consider, and as a result, you know, how the pay works out
17:04:24 9 is going to be very dependent on a lot of different
17:04:27 10 factors like that.

17:04:32 11 BY MR. DALLAL:

17:04:32 12 Q. Does what people in similar job functions within
17:04:35 13 the group are making play any role in the recommendations
17:04:39 14 you make?

17:04:39 15 A. Not really, because I think what we're doing is
17:04:42 16 we're paying for people we believe are going to be able to
17:04:46 17 contribute a lot.

17:04:47 18 So, you know, bringing them in is sort of we --
17:04:50 19 you know, it's not about money at that point when they
17:04:52 20 come into Apple. After they're at Apple, typically then
17:04:56 21 it becomes if you contribute a lot, you'll get paid well
17:05:02 22 and you'll be compensated for your contributions. If you
17:05:05 23 don't contribute as much, you won't get paid as much as
17:05:09 24 someone who contributes a lot. So it's really about
17:05:13 25 merit, and if you are a major contributor, you'll do very,

17:05:17 1 very well at Apple. If you're not, it won't work out
17:05:20 2 as well.

17:05:21 3 So it's really about their performance, and what
17:05:24 4 you deliver is -- and that's what -- what's important.

17:05:50 5 Q. Have you ever reviewed any external market data
17:05:53 6 in making recommendations about compensation for new
17:05:56 7 hires?

17:05:56 8 A. No, I haven't.

17:06:15 9 Q. Have you ever asked for advice from anyone else
17:06:17 10 at Apple on what recommendations to make regarding
17:06:20 11 compensation for new hires?

17:06:23 12 A. Occasionally I'll talk to our HR representatives
17:06:26 13 just to see, you know, "What do you think? Do you think
17:06:29 14 they'll" -- or, you know, a lot of time the recruiters,
17:06:32 15 because what we're really concerned about is we just want
17:06:34 16 to make sure it's fair enough that they'll make the jump
17:06:37 17 over and that it will -- you know, that it makes sense for
17:06:40 18 them.

17:06:41 19 Q. Is there a particular person in HR that you talk
17:06:43 20 to about that topic?

17:06:46 21 A. It depends on who the HR representative is for
17:06:48 22 that particular area. And typically also, the recruiter
17:06:52 23 is probably more involved in that than HR.

17:07:11 24 Q. I'll show you what has been previously marked as
17:07:13 25 Exhibit 166. This is a document that is the final

1 I, Jennifer L. Furia, Certified Shorthand
2 Reporter licensed in the State of California, license
3 No. 8394, hereby certify that the deponent was by me first
4 duly sworn, and the foregoing testimony was reported by me
5 and was thereafter transcribed with computer-aided
6 transcription; that the foregoing is a full, complete and
7 true record of said proceeding.

8 I further certify that I am not of counsel or
9 attorney for either or any of the parties in the foregoing
10 proceeding and caption named or in any way interested in
11 the outcome of the cause in said caption.

12 The dismantling, unsealing, or unbinding of the
13 original transcript will render the reporter's
14 certificates null and void.

15 In witness whereof, I have hereunto set my hand
16 this day: April 2, 2013

17 _____ Reading and signing was requested.

18 _____ Reading and signing was waived.

19 X
20 _____ Reading and signing was not requested.

21
22
23
24
25

JENNIFER L. FURIA, RPR, CSR NO. 8394

In Re: High-Tech Employee Antitrust Litigation

United States District Court, Northern District of California – San Jose Division

Case No. 11-CV-2509-LHK

Deposition Errata Sheet

Brian Croll
March 22, 2013

Deposition Page #	Line #	Currently Reads	Change To Read As	Reason for Change
Throughout	Throughout	Fishing/Anti-fishing	Phishing/Anti-phishing	Spelling error
21	16	“Beginning no later than 2006, apple	“Beginning no later than 2006, Apple	Transcription error
26-28	Throughout	Rule 26 A-1/Rule 26 A-1 A-1	Rule 26(a)(1)(A)(i)	Transcription error
31	11-12	Um not – yes, computer science was in, very heavily involved in what I did, yes.	Yes – computer science was very heavily involved in what I did.	Clarify the record
46	18	OS-10	OS X	Spelling error
66	24-25	No. There’s no You – there’s no YouTube application for Mac.	Correct. There is no YouTube application for Mac.	Clarify the record
106	8-9	approach, which AOL ended – owned the technology end to end.	approach, and AOL owned the technology end to end.	Clarify the record
119	8-9	purpose of this, is not to ensure that this particular agreement doesn’t limit our options.	purpose of this is to ensure that this particular agreement doesn’t limit our options.	Clarify the record
167	5	Yeah, I’m not sure I can say	I’m not sure I can say	Clarify the record
170	7-8	...whether they had access and then didn’t have accessor – it’s unclear to me...	...whether they had access and then didn’t have access, or – it’s unclear to me...	Transcription error
182	1	What did you first meet Mark Bentley?	When did you first meet Mark Bentley?	Transcription error

Dated: May ____, 2013



 Brian Croll

Name of case: *In re: High-Tech Employee Antitrust Litigation*
Case No. 11-CV-2509-LHK (N.D. Cal.)

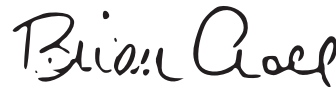
Date of deposition: March 22, 2013

Name of witness: **Brian Croll**

DECLARATION UNDER PENALTY OF PERJURY

I hereby certify that I read the foregoing deposition, and that the transcription together with any corrections noted on the Deposition Errata Sheet hereof, with the understanding that I offer these changes as if still under oath, is a true and accurate record of my testimony given at the time and place noted.

Signed on the _____ day of May, 2013.

A handwritten signature in black ink that reads "Brian Croll". The signature is written in a cursive style with a large, looped "B" and "C".

Brian Croll